

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

3/17/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CV03-00476KSC

CASE NAME: Ofelia Coloyan v. William P. Badua, et al.

ATTYS FOR PLA: Jack Schweigert  
Arthur Ross  
Rory Toomey  
Plaintiff Ofelia Coloyan

ATTYS FOR DEFT: Kendra Kawai  
Marie Gavigan  
Defendant William Badua  
Defendant Jeffrey Omai  
Defendant Spencer Anderson

INTERPRETER:

---

JUDGE: Kevin S. C. Chang

REPORTER: Debra Chun  
8:45-2:00pm

DATE: 3/17/2006

TIME: In Chambers  
3:00-4:30

Cynthia Fazio  
4:30-4:50pm

---

COURT ACTION: EP: Further Jury Trial (Day 4).

CST - Darren Nihei

Exhibit **D4** is admitted and received

Exhibit **D5** is admitted and received

Original Deposition of Darren Nihei taken on 4/4/05 handed to witness Darren Nihei

Exhibit **P28a** is admitted and received

Exhibit **D7** is admitted and received

CST - Joseph Tillotson, Wackenhut custodian of records

Exhibit **D16** is admitted and received

Jeffrey Omai - previously sworn in resumed witness stand

Counsel stipulate that the court reporter need not record as the video deposition of Dr. Eliashof is shown to the jury

Video taped deposition of Byron Eliashof, M.D. played

Court finds Dr. Eliashof to be qualified to be an expert in the field of psychiatry

Exhibit **D23** is admitted and received

Exhibit **D24** is admitted and received

Exhibit **P55** is admitted and received

Defendant rests

Jurors excused

Over the objection of defendant, Plaintiff's request for rebuttal is allowed

Defendant renews their Motion for Directed Verdict as to all three defendants. Motion denied.

Objections to Jury Instructions placed on the record

Plaintiff withdraws request for rebuttal

Further Jury Trial (Day 5) set 3/20/06 at 8:30am before Judge Chang

Submitted by: Shari Afuso, Courtroom Manager